

EXHIBIT D

Stephen M. Harnik

From: Ann Draper [ann.draper@farberandco.com]
Sent: Thursday, October 25, 2007 9:04 PM
To: Stephen M. Harnik
Cc: 'Jonathan Lienhard'
Subject: Greystone CDE v. Santa Fe Pointe LP

Today I reviewed the docket in the NY Action and noted that you have just filed an Affidavit of Service claiming that Defendants' response was due today (October 25). I must disagree, and request that you amend your Affidavit of Service forthwith or we will be forced to file a motion to quash.

As I have previously written, none of the defendants have appeared in the action nor have they been properly served. Your FedEx delivery of the first amended complaint to this firm is of no import as we are not authorized to accept service of process for any of these defendants; you must properly serve the parties themselves. Moreover, the summons form that you used incorrectly provides for a 20-day response time; the current summons form provides for a 30-day response time in the case of an out-of-state service.

Please respond forthwith regarding your position on service of process.

Ann Draper

Ann M. Draper
Farber & Company Attorneys, LLP
847 Sansome Street, Suite LL
San Francisco, California 94111
tel. 415-434-5320 x108
fax. 415-434-5380
www.farberandco.com



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